


ORDERED.

Dated: April 24, 2018



Jerry A. Funk
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
www.flmb.uscourts.gov**

In re:

CASE NO.: 3:18-bk-01164-JAF

EIHAB H. TAWFIK, M.D., P.A.,

CHAPTER 11

Debtor.

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**INTERIM ORDER GRANTING DEBTOR'S
MOTION TO USE CASH COLLATERAL
AND NOTICE OF FINAL EVIDENTIARY HEARING**

THIS CASE came on for an emergency preliminary hearing on April 16, 2018 (the “Hearing”) upon the Emergency Motion to Use Cash Collateral filed by Eihab H. Tawfik, M.D., P.A. (the “Debtor”), on April 12, 2018 (Doc. No. 9) (the “Motion”). The Motion seeks authority to use cash collateral and to provide adequate protection to Central Bank (“Central”). Upon consideration of the Motion, the evidence presented, and the positions of the parties at the Hearing, it is

ORDERED:

1. Interim Authorization Granted. The Motion is **GRANTED** on an interim basis as provided herein.
2. Cash Collateral Authorization. Subject to the provisions of this order, the Debtor is authorized to use cash collateral to pay: (a) amounts expressly authorized by this Court, including payments to the United States Trustee for quarterly fees; (b) the current and necessary expenses set forth in the budget attached as Exhibit "A" attached hereto, plus an amount not to exceed ten percent (10%) for each line item (provided no amount shall be disbursed for pre-petition sales tax, absent proper application and entry of an order by the Court); and (c) such additional amounts as may be expressly approved in writing by Central. This authorization will continue until further hearing on the Motion. Except as authorized in this order, the Debtor is prohibited from use of cash collateral. Additionally, before the expiration of the interim period, Debtor shall pay Central the amount of Fifteen Thousand Dollars (\$15,000.00) as adequate protection, with such amount being to the parties' loan as set forth under the loan documents.
3. Debtor Obligations. The Debtor shall timely perform all obligations of a debtor-in-possession required by the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, and the orders of this Court.
4. Access to Records and Premises. Upon reasonable notice, and provided that it does not unreasonably interfere with the business of the Debtor, the Debtor shall grant Central access to the Debtor's business records and premises for inspection.
5. Replacement Lien. Central shall have a perfected post-petition lien against cash collateral to the same extent and with the same validity and priority as their respective

prepetition liens, without the need to file or execute any document as may otherwise be required under applicable nonbankruptcy law.

6. Insurance. The Debtor shall maintain such insurance necessary to protect Central's interests in its personal property and cash collateral.

7. Without Prejudice. This Order is without prejudice to: (a) any subsequent request by a party-in-interest for modified adequate protection or restrictions on use of cash collateral; or (b) any other right or remedy which may be available to Central.

8. Creditors Committee. The provisions of this Order are without prejudice to the rights of the United States Trustee to appoint a committee or any rights of a duly-appointed committee to challenge the validity, priority, or extent of any lien(s) asserted against cash collateral.

10. Enforcement. The Court shall retain jurisdiction to enforce the terms of this Order.

11. **A final evidentiary hearing on use of cash collateral will be held on May 24, 2018 at 1:30 p.m.** before the Honorable Jerry A. Funk, United States Bankruptcy Judge, at the United States Bankruptcy Court, 300 North Hogan Street, 4th Floor, Courtroom 4D, Jacksonville, FL 32202.

Attorney Justin M. Luna is directed to serve a copy of this order on interested parties and file a proof of service within three (3) days of entry of the order.

Eihab H. Tawfik, M.D., P.A.

Week Of:	April 8, 2018	April 16, 2018	April 23, 2018	April 30, 2018
Income				
Revenue	\$87,500.00	\$87,500.00	\$87,500.00	\$87,500.00
Total Income	\$87,500.00	\$87,500.00	\$87,500.00	\$87,500.00
Expenses				
Payroll Taxes & Fees	\$ 50,000.00	\$ -	\$ 90,000.00	\$ -
1099 Payroll	\$ -		\$ 10,000.00	
Medical Billing Processor	\$ 2,625.00	\$ 2,625.00	\$ 2,625.00	\$ 2,625.00
Radiology Reading	\$ -	\$ 15,000.00		\$ 15,000.00
Supplies	\$ 12,500.00	\$ 12,500.00	\$ 12,500.00	\$ 12,500.00
Utilities	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
Technical Support/Internet/Phones	\$ -	\$ 8,000.00	\$ -	\$ -
Property Insurance	\$ -	\$ 15,000.00	\$ -	\$ -
Malpractice Insurance	\$ -	\$ -	\$ -	\$ 20,000.00
Celebration Office Rent	\$ -	\$ -	\$ -	\$ 5,500.00
Springhill Office Rent	\$ -	\$ -	\$ -	\$ 3,200.00
Ocala Office Rent	\$ -	\$ -	\$ -	\$ 1,700.00
Equipment Maintenance	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
Crystal River Rent				\$ 34,300.00
Total Building Expenses	\$ 70,125.00	\$ 58,125.00	\$ 120,125.00	\$ 99,825.00
Cash Balance				
Beginning Cash Balance	\$ 70,000.00	\$ 87,375.00	\$ 116,750.00	\$ 84,125.00
Receipts	\$ 87,500.00	\$ 87,500.00	\$ 87,500.00	\$ 87,500.00
Expenses	\$ 70,125.00	\$ 58,125.00	\$ 120,125.00	\$ 99,825.00
Ending Cash Balance	\$ 87,375.00	\$ 116,750.00	\$ 84,125.00	\$ 71,800.00